

## Chapter 112

### JUNK DEALERS AND COLLECTORS

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**[HISTORY: Adopted as Art. 17, Sections 1, 2, 3, 4 and 5, of the revised bylaws of Halifax. Amendments noted where applicable.]**

#### GENERAL REFERENCES

Casual sales - See Ch. 141.  
Unregistered vehicles - See Ch. 161.

#### **§ 112-1. Junk collector's license required.**

The Selectmen may license suitable persons as junk collectors to pass over the public ways and, in the course thereof, to purchase and collect junk. No person shall engage in such business without such license.

#### **§ 112-2. Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

JUNK - All articles and material usually so described, and also old metal and every secondhand article.

#### **§ 112-3. Collection facilities subject to examination.**

The Selectmen may require that any place, vehicle or receptacle used for the collecting or keeping of junk shall be subject to examination at any time by the Selectmen or their agent.

**§ 112-4. Expiration of license; revocation. [Amended 5-11-2015 ATM, Art. 61]**

Each license under this chapter shall expire on December 31<sup>st</sup> following the date of issuance and may be revoked by the Selectmen at any time at their discretion.

**§ 112-5. Junk dealer's license required.**

The Selectmen may license suitable persons to be dealers in and keepers of shops for the purchase, sale and barter of junk, and no person shall be a dealer in or keeper of a junk shop without such license.

**§ 112-6. Dealers' facilities subject to examination.**

Any shop and all articles of merchandise therein and any place used for the keeping of the articles aforesaid may be examined at all times by the Selectmen or by any person by them respectively authorized thereto.

**§ 112-6.1. Visibility of junk from public places. [Added 5-14-1986 ATM, Art. 47]**

No yard abutting or visible from a way or public park or public beach shall be used for the storage or display or abandonment of any type of junk, discarded or abandoned, equipment or material.

**§ 112-7. Violations and penalties.**

Hawkers, peddlers and whoever violates any of the provisions of this chapter or any rule, regulation or restriction contained in any license granted to him hereunder or any requirement of the Selectmen made hereunder shall forfeit not more than \$20 for each offense.

**§ 112-8. Materials and audit sheets. [Added 5-14-2012 ATM, Art. 47; Amended 5-12-2014 ATM, Art. 50]**

- A. All materials taken in will be held for a minimum of 30 days before resale, trade, melting, changing of appearance or other means of disposal occur.
- B. Audit sheets shall be submitted to the Chief of Police on a weekly basis with record of all transactions, including date of sale, amount, seller's name and address, date of birth, driver's license and state of issue, itemized list and description of article. Each licensee shall also take a color photograph of each item purchased and a color photograph of each person selling items. All audit sheets are to be legible and written in English. The required reports and photographs may be stored and transmitted electronically if the format is approved by the Chief of Police.<sup>1</sup>

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<sup>1</sup> Editor's Note: See also Ch. 76, Criminal History Checks.

## Criminal History Check Authorization

The Police Department may conduct State and Federal Fingerprint Based Criminal History check for individuals applying for certain licenses including those engaged in the business of Hawking and Peddling or other Door-to-Door Salespeople, Pawn Dealers and Hackney Drivers.

An applicant seeking to engage in the above employment shall submit, if required by the licensing authority, fingerprints taken by the Police Department along with a fee of \$100.00 (One Hundred Dollars).

Upon receipt of the fingerprints and the appropriate fee, the Police Department will transmit the fingerprints to the State Police Identification Unit through the Department of Criminal Justice Information Services (DCJIS) formerly the Criminal History System Board (CHSB).

In rendering a fitness determination, the Police Department will decide whether the record subject has been convicted of (or is under pending indictment for) a crime, which bears upon his/her ability or fitness to serve in that capacity, any felony or a misdemeanor, which involved force or threat of force, controlled substances, or was a sex-related offense.

A record subject may request and receive a copy of his/her criminal history record from the Police Department. Should the record subject seek to amend or correct his/her record, he/she must contact CHSB for a state record or the FBI for records from other jurisdictions maintained in it file.

The Town or any of its officers, departments, boards, committees or other licensing authorities is hereby authorized to deny any application for, or to revoke or suspend any license or permit, including renewals and transfers thereof, for any person who is determined unfit for the license, as determined by the licensing authority, due to information obtained pursuant to this by-law or take any other action thereon.